

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

212

CRM-M-18021-2022

Date of Decision: 06.09.2022

Rishu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Inderpreet Singh Kooner, Advocate,
for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Gurpreet Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.71 dated 1.4.2022, Police Station Sadar Nabha, District Patiala, under Section 22 of Narcotic Drugs & Psychotropic Substances Act, wherein offence under Section 29 of NDPS Act was added later on.
2. At the time of issuance of notice of motion on 29.04.2022, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.71 dated 1.4.2022, Police Station Sadar Nabha, District Patiala, under Section 22 of Narcotic Drugs & Psychotropic Substances Act, wherein offence under Section 29 of NDPS Act was added later on.

As per the case of prosecution, a secret information was received by the police to the effect that one Rattan Lal indulged in sale of intoxicants. Pursuant to receipt of said information, the police was able to nab the

aforesaid Rattan Lal, who was found in possession of 420 tablets of 'CELCIDAL 100-SR' containing 'tramadol'. It is further the case of prosecution that during the course of interrogation, said Rattan Lal named the petitioner to be the supplier.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and is nowhere named in the FIR and nor any recovery was ever effected from him. It has been submitted that the disclosure statement made by co-accused Rattan Lal on the basis of which the petitioner has been nominated as an accused, will not carry any evidentiary value especially in the absence of any other connecting evidence.

Notice of motion for 6.9.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 29.04.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and

cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

06.09.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No